REMARKS/ARGUMENTS

Claims 7-10 and 22-30 are pending in this application.

The Examiner rejected claims 7-10 and 22-30 under 35 U.S.C. §103(a) as being unpatentable over Aoshima et al. (U.S. 6,241,524) in view of Tohyama et al. (U.S. 5,351,966). Applicant respectfully traverses the rejection of Claims 7-10 and 22-30.

Claim 7 recites:

> A game device for proceeding a game by placing game objects related to the game in a three-dimensional virtual space and by controlling said objects, comprising:
> **first game proceeding means for proceeding the game by controlling said game objects in a first game field in said three-dimensional virtual space;**
> **second game proceeding means for proceeding the game by controlling said game objects in a second game field in said three-dimensional virtual space;**
> **cursor object forming means for forming a cursor object indicating a certain area of one of said first and second game fields as well as an area of the other game field corresponding to the certain area**; and
> perspective transformation display means for forming a screen picture on a display by transforming coordinates of each object including said cursor object within view of a viewpoint located in said three-dimensional virtual space; wherein
> **the cursor object is a three-dimensional object extending over both of the first game field and the second game field.** (emphasis added)

Applicant's Claims 22 and 30 recite features and method steps that are similar to the features recited in Applicant's Claim 7, including the above-emphasized features.

The Examiner alleged that Aoshima et al. teaches all of the features and method steps recited in each of independent Claims 7, 22, and 30, except for the feature of the cursor object being a three-dimensional object that extends over both of the first game field and the second game field in the three-dimensional virtual space. The Examiner further alleged, "In a similar environment, Tohyama teaches the use of image synthesizing scopes that being interpreted as game cursors (Abstract). Tohyama further teaches the cursor to be a three-dimensional object extending over a first game field and a second game field (Fig 9, Par 12 lines 53-55, 59-64)." Thus, the Examiner

concluded that it would have been obvious "to incorporate Tohyama's teachings wherein the motivation is to provide a three-dimensional target identifying means that displays a target through a viewing window making it easier for the user to aim and shoot." Applicant respectfully disagrees.

First, contrary to the Examiner's allegations, Tohyama et al. fails to teach or suggest a first game field and a second game field **in a three-dimensional virtual space**. Tohyama et al. teaches a game stage 100 which is a three-dimensional **actual model** made of tangible objects, not a three-dimensional virtual space. The image synthesizing scope 10, which the Examiner alleged corresponds to the cursor object recited in Applicant's claims 7, 20, and 30, superimposes a virtual image 200, which could allegedly be construed as a game field in a three-dimensional virtual space, on the three-dimensional actual model 100 (see, for example, Fig. 4 and col. 6, lines 29-40 of Tohyama et al.). Thus, at best, Tohyama et al. merely teaches **a single game field** in a three-dimensional virtual space. Thus, Tohyama et al. cannot possibly teach or suggest the features of "cursor object forming means for forming a cursor object indicating a certain area of one of said first and second game fields as well as an area of the other game field corresponding to the certain area" and "the cursor object is a three-dimensional object extending over both of the first game field and the second game field" as recited in Applicant's Claim 7, and similarly in Applicant's Claims 22 and 30.

Second, it is entirely unclear how the image synthesizing scope 10 of Tohyama et al. can be construed as the cursor object recited in Applicant's Claims 7, 22, and 30. The image synthesizing scope 10 of Tohyama et al. is arranged to be spaced from the three-dimensional actual model 100, and in no way extends over any portion of the three-dimensional actual model 100. In addition, if the image synthesizing scope 10 of Tohyama et al. could be fairly construed as the cursor object recited in Applicant's Claims 7, 22, and 30, then Tohyama et al. would clearly fails to teach or suggest any cursor object forming means because the image synthesizing scope 10 of Tohyama et al. is a tangible device that is clearly not formed by any means disclosed therein.

If on the other hand, the Examiner interpreted the image synthesizing scope 10 of Tohyama et al. to correspond to the cursor object forming means recited in Applicant's Claims 7, 22, and 30, at best, the image synthesizing scope 10 produces game objects, such as ghosts 202, that are superimposed on the three-dimensional actual model 100. The image synthesizing scope 10 of Tohyama et al. does not form any cursor object indicating a certain area, and certainly does not form a cursor object indicating a certain area of one of said first and second game fields as well as an area of the other game field corresponding to the certain area. Thus, the image synthesizing scope 10 of Tohyama et al. certainly cannot be fairly construed as the cursor object forming means recited in Applicant's Claims 7, 22, and 30.

The Examiner referred to Fig. 9 and col. 12, lines 53-55, 59-64 of Tohyama et al. to alleged support the allegation that Tohyama et al. teaches a cursor object being a three-dimensional object extending over a first game field and a second game field. However, col. 12, lines 40-64 disclose:

> Although the present invention has been described as to the game stage 100 which is located in front of the image synthesizing scopes 10, the game stage 100 may be formed into a spherical configuration having its curvature of about 5 meters, as shown in FIG. 9. At this time, each of the image synthesizing scopes 10 may be arranged to be movable about the center of curvature in both the vertical and horizontal directions. In addition, the program memory 56 has stored a program for synthesizing and displaying a semi-spherical panorama scene. The image synthesizing scope 10 may include an optical system for imaging the window scene of the display 28a at or somewhat forward of the game stage 100 and be adapted to scroll the window scene displayed in the viewing window 12 depending on the direction of the viewing window 12.

This portion of Tohyama et al. merely discloses that the three-dimensional actual model 100 can have a spherical configuration and that the image synthesizing scopes 10 may be arranged to be movable about the center of curvature of the spherical configuration. Neither this portion nor any other portion of Tohyama et al. supports the Examiner's allegation that Tohyama et al. teaches or suggests a cursor object being a three-dimensional object extending over a first game field and a second game field.

Third, the Examiner alleged that the motivation to combine the alleged teachings of Tohyama et al. with Aoshima et al. would have been "to provide a three-dimensional target identifying means that displays a target through a viewing window making it easier for the user to aim and shoot," and points to col. 1, line 65 to col. 2, line 2 of Tohyama et al. to allegedly support this allegation. However, col. 1, line 65 to col. 2, line 2 of Tohyama et al. discloses, "Still another object is to provide a shooting game playing apparatus which can utilize said image synthesizing scope or system to form and display a target character by the video scene, the target character being displayed in a viewing window of said scope and shot by a user." Since, Aoshima et al. already teaches means for displaying a target character which is displayed in a scope (the cross-hairs shown in Fig. 1 of Aoshima et al.) and the overall configuration of the game of Tohyama et al. is completely different from the game of Aoshima et al., one of ordinary skill in the art would not have been motivated to combine the alleged teachings of Tohyama et al. with Aoshima et al. Furthermore, the Examiner has failed to explain how the alleged target identifying means of Tohyama et al. would make it easier for the user to aim and shoot.

Accordingly, Applicant respectfully submits that Aoshima et al. and Tohyama et al., applied alone or in combination, fail to teach or suggest the unique combination and arrangement of elements recited in Claims 7, 22, and 30 of the present application.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of Claims 7, 22, and 30 under 35 U.S.C. §103(a) as being unpatentable over Aoshima et al. in view of Tohyama et al.

In view of the foregoing remarks, Applicant respectfully submits that Claims 7, 22, and 30 are allowable. Claims 8-10 and 23-29 depend upon Claims 7 and 22, and are therefore allowable for at least the reasons that Claims 7 and 22 are allowable.

In view of the foregoing remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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